

FILED BY *[Signature]* D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 JUL 26 AM 9:28

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

CHARLENE SPINKS,

Plaintiff,

vs.

HOME TECH SERVICES CO., INC.,
et al.,

Defendants.

Civ. No. 03-2568-D/P ✓

BOBBIE CARR,

Plaintiff,

vs.

HOME TECH SERVICES CO., INC.,
et al.,

Defendants.

Civ. No. 03-2569-D/P

ORDER DENYING WITHOUT PREJUDICE PLAINTIFFS' MOTIONS FOR
PROTECTIVE ORDER

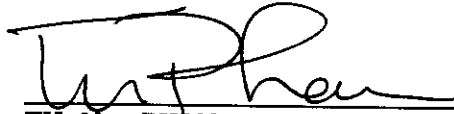
Before the court are plaintiffs Bobbie Carr and Charlene Spinks's Motions for Protective Order, filed June 21, 2005 (dkt ##297 and 353). On July 8, 2005, defendant NovaStar Mortgage, Inc. filed its response, in which it stated that plaintiffs did not comply in good faith with this court's consultation requirement. Based on the record, the court finds that the plaintiffs have not

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adequately consulted with defendant's counsel prior to filing their motions for protective order. See Hayes v. Home Tech Services, No. 05-2019 Ma/V (W.D. Tenn. 2005) (July 12, 2005 order denying without prejudice plaintiffs' motion for protective order). Therefore, the motions are DENIED without prejudice.

IT IS SO ORDERED.



TU M. PHAM
United States Magistrate Judge

Date July 22, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 307 in case 2:03-CV-02568 was distributed by fax, mail, or direct printing on July 28, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT